**IN THE HIGH COURT OF UTTARANCHAL**
**AT NAINITAL**
**ORIGINAL JURISDICTION**

Dated: Naiintal: the 4th day of January 2006
Bail Application No. 1153 **/2005**
**Order on the bail application of accused**

**CRIMINAL SIDE**

Nafees Ahmad S/o Late Shri Rafeek Ahmad
R/o Nai Basti kathgoday
Police Station Kathgodam
District Nainital ….Applicant

Versus

State of Uttaranchal ..… Opposite Party

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Arising out of Case Crime No. 4193 of 2005
Under Sections 379 I.P.C. and 2/3 Gangster Act
Police Station Haldwani
District Nainital

**By the court**

**Hon'ble B.C. Kandpal, J.**

The applicant has applied for bail in case crime No. 4193 of 2005 under Sections 379 and 2/3 Gangster Act, Police Station Haldwani, District Nainital.

Heard Sri Man Mohan Tewari, learned counsel for the applicant, learned A.G.A. and perused the record.

It appears from the perusal of the record that the Gangster Act has been imposed against the applicant on the basis of one case under section 379 and 411 I.P.C.

Learned A.G.A. could not show before me that as to any other case is also pending against the applicant or not.

The applicant is in jail since 14.11.2005 and learned G.A. could not show any criminal history of the applicant before me except the aforesaid case.

In view of the above facts and circumstances of the case, I think, it is a fit case for bail.

Let the applicant Nafees Ahmad be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction on Magistrate concerned.

**(B.C. Kandpal,J.)**

04.01.2006
ASWAL